

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

BEAL BANK, S.S.B.,

Plaintiff,

vs.

Civ. No. 96-1644 WWD/LFG

LA TIERRA LTD.; G. LAMBERT &  
ASSOCIATES, INC.; and GEORGE LAMBERT,

Defendants.

MEMORANDUM OPINION AND ORDER

This matter came before the Court for a pre-trial conference on January 12, 1998. At that time, it was disclosed in the proposed Pre-Trial Order that Defendants served a motion to stay proceeding upon Plaintiff's counsel on January 6, 1998, and that the motion was not opposed. It will not be necessary to file the motion with the Court, since discussions at the pre-trial conference and this order will address all questions which were raised in the motion.

The parties are unable to proceed in this matter until certain information is obtained from a third party considering certain escrow payments allegedly made by the defendant. Accordingly, the trial in this cause should be vacated.

**WHEREFORE,**

**IT IS ORDERED** that the trial set for February 2, 1998, is VACATED.

**IT IS FURTHER ORDERED** that counsel for Defendants shall notify the undersigned when information now being sought from a third party is obtained and this cause is ready for trial; and for the scheduling of an additional settlement conference.

  
UNITED STATES MAGISTRATE JUDGE